

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/574,446
Applicant(s) : LOEBL et al.
Filed : April 4, 2006
TC/A.U. : 2800/2834
Examiner : J.A. San Martin
Atty Docket No. : DE 030345
Confirmation No. : 9662
Title: BULK ACOUSTIC WAVE SENSOR

APPEAL BRIEF

Honorable Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In connection with the Non-Compliant Notice dated May 2, 2008, Applicant submits herewith Section III Status of all Claims.

3. Status of the Claims

Claim 1 has been cancelled. Claims 2-4 are pending in this application. No claims are withdrawn from consideration. Claims 2-4 are the subject of the present Appeal. Claims 2-4 are finally rejected, and are duplicated in the Appendix.

Appendix

Claims on Appeal

1. Cancelled.
2. The sensor of claim 3, wherein the first and the second electrodes are interdigitated electrodes.
3. A sensor comprising a substrate and a plurality of individually addressable resonators, each of the resonators comprising:
 - an acoustic reflector;
 - first and second resonator electrodes;
 - a piezoelectric layer separated from the substrate by the acoustic reflector; and
 - a sensing layer at least partly covering the first and second resonator electrodes, wherein the first and second resonator electrodes are on the same side of the piezoelectric layer.
4. The sensor of claim 3, wherein the sensing layers corresponding to the plurality of resonators comprise different materials.